

HONIGMANHonigman Miller Schwartz and Cohn LLP
Attorneys and Counselors

Peter J. Rashid

(248) 566-8508

Fax: (248) 566-8509

prashid@honigman.com

Fax Transmission

January 10, 2005

Pages (including cover): 2

**RECEIVED
CENTRAL FAX CENTER****JAN 10 2005**

Recipient(s)	Company	Fax Number
Examiner Hoa T. Le Group 1773	United States Patent and Trademark Office	(703) 872-9306

Application Number: 10/689,441

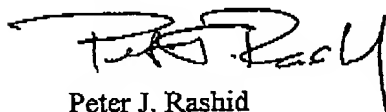
Filed: October 20, 2003

First Named Inventor: Jose Represeas de Almeida et al.

Group Art Unit: 1773

We submitted an Amendment on December 21, 2004 via First Class Mail. We inadvertently omitted the Terminal Disclaimer. Terminal Disclaimer To Obviate A Double Patenting Rejection Over A Prior Patent is being submitted now. Please enter into file.

Thank you.



Peter J. Rashid

The information contained in this facsimile may be confidential and may also be subject to the attorney-client privilege or may constitute privileged work product. The information is intended only for the use of the individual or entity to whom it is addressed. If you are not the intended recipient, or the agent or employee responsible to deliver it to the intended recipient, you are hereby notified that any use, dissemination, distribution or copying of this communication may be subject to legal restriction or sanction. If you have received this facsimile in error, please notify us immediately by telephone, to arrange for return or destruction of the information and all copies. Thank you.

32270 Telegraph Rd. • Suite 225 • Bingham Farms, Michigan 48025-2457

Detroit • Lansing • Oakland County

PTO/SB/26 (09-04)

Approved for use through 07/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**Docket Number (Optional)
209406-84004

In re Application of: Jose Represas de ALMEIDA et al.

Application No.: 10/689,441

Filed: October 20, 2003

For: Absorbent Composition of Matter for Odoriferous Substances and Releaser of Diverse Active Ingredients

The owner, José Represas de ALMEIDA et al., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,835,344 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:

expires for failure to pay a maintenance fee;

is held unenforceable;

is found invalid by a court of competent jurisdiction;

is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;

has all claims canceled by a reexamination certificate;

is reissued; or

is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 39,464


Signature1/7/05
DatePeter J. Rashid
Typed or printed name248-566-8508
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.